

Amendments to Senate Bill No. 346
1st Reading Copy

Requested by Senator Jim Shockley

For the Senate Judiciary Committee

Prepared by David Niss
February 23, 2007 (6:22am)

1. Title, line 5.
Following: "FROM"
Insert: "KNOWINGLY"
Strike: "ILLEGAL"
Insert: "UNAUTHORIZED"
Following: "ALIEN"
Insert: "OR A PERSON WHO CONTRACTS WITH UNAUTHORIZED ALIENS"
2. Title, line 6.
Strike: "ILLEGAL"
Insert: "UNAUTHORIZED"
3. Page 1, line 10.
Strike: "illegal"
Insert: "unauthorized"
4. Page 1, line 18.
Strike: "illegal"
Insert: "unauthorized"
5. Page 1, line 20.
Strike: "illegal" in two places
Insert: "unauthorized" in two places
6. Page 1, line 25.
Strike: "illegal"
Insert: "unauthorized"
7. Page 1, line 26.
Following: "aliens"
Insert: "-- report"
Following: "not"
Insert: "knowingly"
8. Page 1, line 27.
Strike: ", "
Insert: ":
(a) "
9. Page 1, line 27.

OVER

Following: "alien"

Insert: "located in this state"

10. Page 1, line 28.

Strike: "deportable."

Insert: "an unauthorized alien; or

(b) another person who employs an unauthorized alien.

(2) A person who contracts with a public agency also violates subsection (1) if the person should have known under the circumstances that the person employed or contracted with an unauthorized alien or another person who has employed or contracted with an unauthorized alien.

(3) A person who violates subsection (1) is in material breach of contract with the agency and is barred from contracting with the agency for a period of 3 years.

(4) In the event of a breach of contract as provided in subsection (3), the public agency may terminate the contract at a time determined by the agency.

(5) A public agency may use any lawful means to determine whether an individual is an unauthorized alien, including review of an employment eligibility verification form, an internet-based service provided by the federal government, or telephone contact with a federal agency.

(6) A public agency terminating a contract pursuant to subsection (3) shall report the termination to the legislative audit division, provided for in 5-13-301, at the end of the calendar year in which the contract was terminated. The report must state the number and type of contracts terminated and the number of unauthorized aliens employed by the person contracting with the public agency or another person contracting with that person.

(7) As used in this section, "unauthorized alien" has the meaning provided in 8 U.S.C. 1324a.

(8) This section does not apply to a contract with the department of public health and human services or the department of corrections."

Renumber: subsequent subsections

11. Page 1, lines 29 and 30.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

12. Page 2, line 4.

Strike: "illegal"

Insert: "unauthorized"

Strike: "void contract --"

13. Page 2, line 5.

Strike: "deportable"

Insert: "an unauthorized alien, as defined in [section 1],"

14. Page 2, line 9.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

- END -